THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.19741 of 2005

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Dated: 28.01.2006

Between:

S.Panduranga Rao, s/o Pankaj Rao,
Nizam's Institution of Medical Sciences,
C/o N.Subba Rao, Plot No.71, Durga Nagar Colony,
Punjagutta, Hyderabad.

..... PETITIONER

AND

Nizam's Institution of Medical Sciences,
Punjagutta, Hyderabad, represented by its
Executive Registrar.

.....RESPONDENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No. 19741 of 2005

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ORDER:

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The petitioner is an employee of Nizam's Institute of Medical Sciences, the respondent herein. He was placed under suspension on 27.11.2002 on certain allegations. Ultimately, he was dismissed from service through proceedings, dated 04.02.2003.

The petitioner preferred an appeal to the Executive Board. The appellate authority set aside the order of dismissal, and directed further enquiry into the matter. The

petitioner was directed to be continued under suspension, in the meanwhile. Petitioner states that the further enquiry was concluded way back in June, 2005, and despite the same, the matter is not finalized and seeks appropriate directions, in this regard.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

Though the petitioner was dismissed from service in February, 2003, the appellate authority, has set aside the order of dismissal and directed further enquiry. The petitioner was directed to be continued under suspension. The result is that the petitioner is under suspension for the past more than three years. If the enquiry ordered by the appellate authority has been concluded, as contended by the petitioner, there is no reason as to why the matter must be kept pending thereafter. Even otherwise the matter cannot brook any further delay.

Therefore, the writ petition is disposed of directing the respondents to finalise the disciplinary proceedings initiated against the petitioner, within a period of two months from the date of receipt of a copy of this order. Having regard to the fact that the petitioner has been under suspension for the past more than three years, and that the appellate authority has intervened on an earlier occasion, it is further directed that in case the disciplinary proceedings are not concluded within two months from the date of receipt of a copy of this order, the petitioner shall be reinstated into service, without prejudice to the right of the respondent to pass appropriate orders, at a later point of time. There shall be no order as to costs.

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28.01.2006

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